

# HEARING SUMMARY FORM

## # 1040-16

**Hearing:**

March 2, 2018  
Date

08:30 A.M.  
Time

Location: 170 North Main, Room 12-10

Attended by: PII R. Granderson #1942      Hearing Officer: Deputy Chief T. Landrum # 4893

Statement of Hearing Officer: On a disciplinary hearing was conducted at 170 North Main room 12-10 where Officer R. Granderson was charged with violation of DR 104 Personal Conduct and DR 301 Excessive / Unnecessary Force (2 counts). The charges were the result of an internal affairs investigation of complaint # I2016-064. On October 29, 2016 Officers Granderson and Holmes were flagged down by MS. Eddins who complained that her boyfriend, Jeremiah Hall had taken her keys and would not give them back. (Cont)

Action Ordered: DR 301 Excessive Force count #1- Sustained five (5) day SWOP  
Eight (8) hours De-escalation / use of force training  
DR301 Excessive Force count #2 - Sustained five (5) day SWOP  
DR 104 Personal Conduct - Sustained fifteen (15) day SWOP

*Deputy Chief Terry Landrum*  
Hearing Officer

Any employee holding a position not exempted from the provisions of Article 34 Civil Service, and not in the initial probationary period, who has been suspended in excess of ten, (10) days, terminated, or demoted, may appeal to the Civil Service Commission within ten, (10) calendar days after notification in writing of such action. In the event of multiple suspensions, only that suspension which causes the total number of days suspended to exceed five, (5) days within a six month period, and any subsequent suspension within said period shall be appeal able to the Commission. If the disciplinary action is 10 days or less, the officer may submit to a grievance procedure or an internal appeal, but not to both. In addition Chapter I Section 5 page 4 states in part: "Commissioned police officers with a status of suspension, probation, non-enforcement, relieved of duty, or leave of absence are not permitted to engage in any Secondary Employment and/or any Off Duty Security Employment where the officer's status is dependant on his/her state commissioned status. No commissioned police officer is permitted to engage in any Secondary Employment and/or Off duty Security Employment for a period of thirty (30) days after the final disposition of (1) any sustained Statement of Charges for violation of the Sick Abuse policy or (2) any sustained Statement of Charges resulting in a suspension and/or reduction in rank" Notification will be made to the Secondary Employment Office regarding this suspension. Violation of the above listed policy could result in additional charges.

Appeal:      ☐ Will      ☒ Will Not      Be Filed

Grievance:      ☐ Will      ☒ Will Not      Be Filed

I understand that by requesting the grievance procedure that I am waiving my right to recourse through the Internal or Civil Service Commission Appeal Process.

Date

03-16-2018

*RLW*  
Employee Signature

During the ensuing investigation Hall refused to return the keys and became belligerent and Officer Granderson called for additional cars. A struggle ensued and Mr. Hall and his friend Mr. Anthony Whitt were arrested. Mr. Hall was struck with the Taser and was not incapacitated. Mr. Whitt continued to not comply with officers instructions and was struck by officers Granderson and Brooks numerous times with their asp batons. IAB determined that the amount of force used was excessive and both Officer Granderson and Officer Brooks were charged.

Officer Granderson was made aware of these charges on October 30, 2017 when he was issued the statement of charges and provided with a copy of the charges. The hearing was set for November 7, 2017 was continued to December 5, 2017, at 08:30 A. M.

The charges were read to Officer Granderson and he was asked if he understood the charges and he advised that he did. Officer Granderson indicated that he wished for Officer Mike Williams to act as his observer during this hearing.

Officer Granderson was then allowed to view the body worn camera footage of this incident.

Officer Granderson was allowed to respond to the charges and advised that: When the incident first started I thought that we could handle it but when we got him on the ground we were trying to get him handcuffed he continued to resist. When the Taser got there it was used but didn't work. We struck him (Jeremiah Hall) to get him on the ground. He continued to resist and I did not want to give him time to reposition and get up where he could hurt the other officers or me.

The other guy (Anthony Whitt) was told to leave but he refused. He was making the situation worse. I advised him to leave and when he did not I advised him that he was under arrest. He then said that he was going but I had already told him that he was under arrest. I took him down and placed him under arrest

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I have now had time to look at the situation and I realize that I should have handled the situation a little different. I should have waited for other officers to arrive before trying to take him (Hall) in custody and we should have done it different. I should have made sure that the officers and person taken into custody were both safe. Officer Granderson admitted that looking back he could have handled this call in a different manner.

**Officer Williams** was allowed to speak and advised that Officer Granderson has been working in the squad car for a long time, trying to make a change in the community. I did see Officer Granderson use the force continuum. He started with persuasion and conversation and officer's presence. He then told the suspect Hall that he would be arrested if he didn't comply. Officer Granderson then attempted physical force which was not effective. The Taser was used and was not effective. Officer Granderson then went to the ASP baton to try to gain control. Hindsight is 20/20 Officer Granderson has admitted that he would handle this call differently in hindsight. Officer Williams asked that I consider that Officer Granderson has given a number of years to the Memphis Police Department and asked that we take that in consideration when we make a decision on this case.

**Lt. Colonel Rush** advised that Officer Granderson is a hard working officer who does make mistakes but he always owns up to his mistakes; however the video is very clear.

Granderson then stated that this incident was his fault and he admitted that he should not have used that much force. Officer Granderson admitted that he should have used additional hands on instead of going to the baton.

I continued this case until March 16, 2018 to review the videos, statements and evidence that had been submitted during this hearing. I considered the facts of the case and viewed all of the available body worn and in-car video that was available. After careful consideration of all facts I made the following determination:

This is clearly a civil matter in the argument between boyfriend and girlfriend over a set of keys. As such you should have taken the opportunity to have given the complainant a ride to a safe location.

You appeared to be attempting to disable her vehicle to prevent Hall from using it after she had left. This is a risky move however she does open the hood for you and you appear to be working per her request. A certain amount of liability to the City and you would be incurred by these actions. These actions further delayed your leaving with the victim, giving Hall time to approach the victim and engage in a conversation. You should not have allowed the victim and suspect to engage in a face to face conversation. You made no effort to keep the victim and complainant apart which could have resulted in a violent confrontation. I did not see you even pat the suspect or victim down for weapons which raises numerous safety concerns. You called for additional officer but failed to wait for the arrival of other officers before you engaged in a physical confrontation. Viewing the video raises the question on why physical force was necessary at the time you jumped and grabbed Hall. Hall was engaged in a normal conversation with the victim and did not appear to pose an immediate threat. The video showed that you along with officers Brooks and Holmes had the suspect on the ground when Officer Washington ran up with a Taser. Due to the close proximity of officers and suspect, I have to question if the Taser was the proper weapon to use at that time. You released the suspect who was struck with the Taser with little reaction. You and Officer Brooks approached Hall who had stopped to face Officer Washington. Hall refused to get on the ground. Officer Brooks struck Hall on the right leg and then you struck Hall on the left leg two times in an effort to take control of Hall. Hall was knocked to the ground as a result of the leg blows. Hall assumed a defensive position on his back with legs and arms raised. Officer Brooks and you gave numerous commands to stop resisting and roll over however Hall refused. You struck Hall an additional seven times and Officer Brooks struck Hall on additional time to the arms and legs while instructing Hall to roll over and place his hands behind his back for handcuffing. You struck Hall one time on the back while his hands were behind him but before he was handcuffed.



Upon securing Hall you stood up and approached Officer Holmes who was in a verbal confrontation with Anthony Whitt. Officer Holmes was instructing Whitt to leave and he appeared to be trying to leave when you approached him from behind where you grabbed Whitt and told him that he was under arrest. Whitt did not appear to be resisting and you slammed him to the pavement causing a laceration to Whitts face.

**On count one of Excessive Force / Unnecessary Force DR 301-** While Mr. Hall was not being cooperative at the time that you chose to use physical force, Hall had his back turned to you and was engaged in a conversation with the complainant. Hall was not threatening or abusive at that time. Hall did resist the arrest and fought with officers until he was tased. The blows used to bring Hall to the ground were justified due to his resistance. The blows struck to Hall while he was on the ground not complying with instructions could also be justified. The blow that you struck to Halls back while he was on his stomach with his hands behind his back is not justified. I sustain the charge of violation of DR 301, count #1 and order a five (5) day suspension without pay and 8 hours of de-escalation / use of force training.

**Count #2 of Excessive / Unnecessary Force – DR 301** involves your arrest of Anthony Whitt. The various body worn camera footage shows Whitt calmly standing on the sidewalk videoing the arrest of Hall. Whitt does ask why that officers are hitting his causing (Hall). At the time the arrest of Hall is completed you turn and Whitt is walking away from Officer Holmes. You walk around Office Holmes and grab Whitt who is not resisting. You throw Whitt to the ground where he injured his face, (busted lips). First what was Whitt doing besides filming the arrest? The policy of the Memphis Police Department is clear that you as an officer are prohibited from interference with a citizen filming your actions as a police officer. When Whitt turned to leave at the direction of Office Holmes. At the point that you grabbed Whitt he appeared to be complying with Officer Holmes direction and was clearly no threat. The amount of force used against Whitt was clearly excessive and unwarranted and I sustain the charge of violation of count #2 of violation of DR 301 Excessive /Unnecessary Force. I sustain the charge of violation of DR 301 count #2 and order a five (5) day suspension without pay.

**Personal Conduct- DR 104-** the question here is did the conduct of Officer Granderson exceed the expectations of the Law Enforcement Code of Ethics. Did the actions taken by Officer Granderson reflect in a negative manner on the City of Memphis and the Memphis Police Department. Viewing the video of this incident, Officer Granderson did not conform to the training and procedures that he has been taught by the Memphis Police Department. Officer Granderson appeared to get angry at the lack of cooperation by the defendant and allowed his anger to cloud his judgement. Officer Granderson exceeded the level of force that was authorized by the Memphis Police department and his actions cast the Memphis Police Department and his fellow officers in an negative light.

I sustain the charge of Violation of DR 104. While determining the severity of this charge I reviewed the disciplinary record of Officer Granderson and found it to be quite lengthy. Officer Granderson has been charged five prior times for violation of DR 104. Office Granderson has been issued oral and written reprimands and has attended Anger Management training. At this point we have to consider if it is in the best interest of the City of Memphis and the citizens of Memphis to allow Office Granderson to continue in his employment with the City of Memphis. I took a long time to make this decision due to the potential for negative retention. In the end I looked at the fact that while Officer Granderson has completed anger management training and has been charged five times with violation of DR 104 five times he has only been suspended eight days for these five charges in a long career so I do feel that there is still a chance to rehabilitate Officer Granderson and save his career. I sustain the charge of violation of DR 104 and order a fifteen (15) day suspension without pay.

**City of Memphis  
Police Division  
Inspectional Services Bureau**

**Administrative Summons**

**Memphis Police Department VS.  
Granderson, Richard IBM: 1942**

**Date: January 10, 2017  
ISB Case #: I2016-064**

**I. Allegation**

On October 29, 2016, it is alleged that you used excessive force while taking two suspects into custody at Jackson Avenue.

**II. Rules, regulations or orders violated.**

**DR 104 Personal Conduct  
DR 301 Excessive/Unnecessary Force (2X counts)**

**III. Hearing**

**Date: 2/2/2018**

**Place: 170 N. Main Rm 1216 (Chief Landrum)**

**Time: 0830**

**You are entitled to representation during this hearing.**

**Served**

A.C. Brown / Lt. L. Tillman A. / 1716  
Name/Rank/Assignment/IBM

**Date:**

1/25/17

**Time**

2352

**Signature of Officer**

Rh...

**YOUR ATTENDANCE AT THE HEARING NOTICED HEREIN IS REQUIRED, UNLESS EXCUSED DUE TO A MEDICAL EMERGENCY. FAILURE TO ATTEND WILL BE CONSTRUED BY THE HEARING OFFICER AS A WAIVER OF YOUR RIGHT TO BE HEARD. ATTENDANCE WILL BE EXCUSED DUE TO A MEDICAL EMERGENCY IN THE SOLE DISCRETION OF THE HEARING OFFICER, AND ONLY IF YOU HAVE DELIVERED, OR CAUSED TO BE DELIVERED, TO THE HEARING OFFICER, PRIOR TO THE HEARING DATE, A WRITTEN STATEMENT OF MEDICAL CONDITION, PREPARED AND SIGNED BY THE YOUR TREATING PHYSICIAN, DESCRIBING YOUR MEDICAL CONDITION AND ADVISING THAT YOU ARE NOT ABLE TO ATTEND THE HEARING AS A RESULT OF SAID CONDITION.**

**City of Memphis**  
**Police Division**  
**Inspectional Services Bureau**

**Case # I2016-064      Statement of Charges**

**Officer's Name:** Granderson, Richard

**IBM #** 1942

**Rank:** POLICE OFFICER II

**Assignment:** Tillman Station - "A"

**Date:** January 10, 2017

Notice is hereby given that you are being charged with violation(s) of policy, law or regulations as shown below:

DR 104 Personal Conduct

*Sustained*

*15 day SWOP*

DR 301 Excessive/Unnecessary Force (2 counts)

*#1 - Sustained - 5 DAY SWOP  
8 hrs de-escalation / 1 hr  
of force training*

**Date of Occurrence:** October 29, 2016

*#2 - Sustained 5 DAY SWOP*

**Statement of Particulars:**

On October 29, 2016, you attempted to place a suspect under arrest. You gave verbal commands; however, the suspect did not comply. You then utilized your ASP Baton, which caused the suspect to comply with your commands. However, once the suspect was on the ground in what appeared to be a fetal and defenseless position, you continued to strike him on his legs with your ASP Baton before placing him in handcuffs. Next, your partner ordered another individual to leave the scene. As this suspect began to walk away, you grabbed him from behind and slammed him to the ground causing visible facial injury. An eyewitness to the incident and video confirm your actions and they are seen as excessive and unnecessary as the suspect was complying with the orders given. Therefore, your actions were unprovoked by the individual and you caused unnecessary injuries to his face. Therefore, your actions to use unwarranted force, places you in violation of DR-301 Excessive Force/Unnecessary Force.

**DR 301 Excessive Force/Unnecessary Force**

Excessive Force/ Unnecessary Force is defined as the amount of force which is beyond the need and circumstances of the particular event, or which is not justified in



the light of all circumstances, as is the case of deadly force to protect property as contrasted with protecting life.

Control may be achieved through advice, warnings, and persuasion, or by the use of physical force. While the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances. Officers should consider the facts and circumstances known at the time of the confrontation when determining the amount of force to use, including: the severity of the subject's crimes, the immediate threat posed by the subject to the safety of others, and whether the subject exhibits active aggression or is actively resisting arrest. Officers are permitted to use whatever force that is necessary and reasonable to protect others or themselves from bodily harm.

Officers shall never use force or violence that is unprovoked, needless, or not required during performance of their duties when making an arrest or in dealing with a prisoner or any person.

This investigation also revealed that your conduct during the arrest of these two suspects reflected adversely on yourself and the members of the Memphis Police Department. Therefore, to engage in actions that would appear to be excessive force against a citizen, violates the law enforcement code of ethics and by doing so you degraded yourself and brought disrespect and shame to the Memphis Police Department. As a result of your actions you have violated DR- 104 Personal Conduct.

The Memphis Police Department's DR-104 Personal Conduct states:

#### DR 104 PERSONAL CONDUCT

The conduct of each member, both on and off-duty, is expected to be such that it will not reflect adversely on other members, the Department, the City of Memphis, or the law enforcement profession. This regulation applies to both the professional and private conduct of all members. It includes not only all unlawful acts by members but also acts which, although not unlawful in themselves, would violate either the Law Enforcement or Civilian Code of Ethics, and would degrade or bring disrespect upon the member or the Department.

(The officer's disciplinary resume will be reviewed and become a part of this file)

  
Issuing Officer

  
Charging Officer

I acknowledge receipt of this notice and understand that further investigation may result in additional charges, amendment of the above charges, or dismissal of these charges.

I further understand that a written response to these charges at this time is at my discretion unless specifically instructed to file same by the issuing officer.

RA 19R  
Signature of Officer:

Written Response Ordered? ☐ Yes ☐ No

Was officer relieved of duty? ☐ Yes ☐ No

Reviewed by: Wiem ☒ Dep. Dir. ☐ Dep. Chief ☐ Work Station Commander

Delegated to: ☒ Dep. Chief ☐ Station/Bureau

Lardner

Major/Lt. Colonel/Colonel



MEMPHIS POLICE DEPARTMENT  
MEMORANDUM



*Uniform Patrol Div II.*

To: Deputy Director M. Ryall

Subject: Hearing #1041-16

From: Deputy Chief T. Landrum

Date: December 5, 2017

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Hearing # 1041-16 for Officer M. Brooks, IBM 12212 on the charges of violation of DOR 301 Excessive Force and DR 104 Personal Conduct will be held in Abeyance. Officer Brooks submitted a resignation letter effective on December 7, 2017.

**City of Memphis  
Police Division  
Inspectional Services Bureau**

**Administrative Summons**

**Memphis Police Department VS.  
Brooks, Martin IBM: 12212**

**Date: January 10, 2017  
ISB Case #: I2016-064**

**I. Allegation**

On October 29, 2016, it is alleged that you used excessive force while taking a suspect into custody at Jackson Avenue.

**II. Rules, regulations or orders violated.**

**DR 104 Personal Conduct  
DR 301 Excessive/Unnecessary Force:**

**III. Hearing**

**Date:** 12-1-16, 7

**Place:** 176 N. Main, Rm 1210 (clerk's room)

**Time:** 6:00

**You are entitled to representation during this hearing.**

**Served by:**

Margaret Collier / Lt. T. Huan / 1827  
Name/Rank/Assignment/IBM

**Date:**

10/30/2017

**Time:**

2:58 AM

**Signature of Officer:**

Mark Phue

**YOUR ATTENDANCE AT THE HEARING NOTICED HEREIN IS REQUIRED, UNLESS EXCUSED DUE TO A MEDICAL EMERGENCY. FAILURE TO ATTEND WILL BE CONSTRUED BY THE HEARING OFFICER AS A WAIVER OF YOUR RIGHT TO BE HEARD. ATTENDANCE WILL BE EXCUSED DUE TO A MEDICAL EMERGENCY IN THE SOLE DISCRETION OF THE HEARING OFFICER, AND ONLY IF YOU HAVE DELIVERED, OR CAUSED TO BE DELIVERED, TO THE HEARING OFFICER, PRIOR TO THE HEARING DATE, A WRITTEN STATEMENT OF MEDICAL CONDITION, PREPARED AND SIGNED BY THE YOUR TREATING PHYSICIAN, DESCRIBING YOUR MEDICAL CONDITION AND ADVISING THAT YOU ARE NOT ABLE TO ATTEND THE HEARING AS A RESULT OF SAID CONDITION.**



**City of Memphis**  
**Police Division**  
**Inspectional Services Bureau**

**Case # I2016-064      Statement of Charges**

**Officer's Name:** Brooks, Martin

**IBM #** 12212

**Rank:** POLICE OFFICER II

**Assignment:** Tillman Station - "A"

**Date:** January 10, 2017

*Held in Abeyance due to Resignation*  
Notice is hereby given that you are being charged with violation(s) of policy, law or regulations as shown below:

DR-301 Excessive/Unnecessary Force  
DR- 104 Personal Conduct

**Date of Occurrence:** October 29, 2016

**Statement of Particulars:**

On October 29, 2016, you were attempting to place a suspect under arrest. You gave verbal commands; however, the suspect did not comply. You then utilized your ASP Baton, which caused the suspect to comply with your commands. Yet once he did comply, you continued to strike him on his legs with your ASP Baton before placing him in handcuffs. Your actions were unrestrained and forceful as the suspect lay in a fetal position as you continued to strike him. An eyewitness and video verify that you struck the suspect several times as he lay defenseless on the ground. Therefore, your actions are seen as a violation of **DR-301 Excessive Force/Unnecessary Force**

**DR 301 Excessive Force/Unnecessary Force**

**Excessive Force/ Unnecessary Force** is defined as the amount of force which is beyond the need and circumstances of the particular event, or which is not justified in the light of all circumstances, as is the case of deadly force to protect property as contrasted with protecting life.

Control may be achieved through advice, warnings, and persuasion, or by the use of physical force. While the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless

other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances. Officers should consider the facts and circumstances known at the time of the confrontation when determining the amount of force to use, including: the severity of the subject's crimes, the immediate threat posed by the subject to the safety of others, and whether the subject exhibits active aggression or is actively resisting arrest. Officers are permitted to use whatever force that is necessary and reasonable to protect others or themselves from bodily harm.

Officers shall never use force or violence that is unprovoked, needless, or not required during performance of their duties when making an arrest or in dealing with a prisoner or any person.


This investigation also revealed that your conduct during the arrest of the suspect reflected adversely on yourself and the members of the Memphis Police Department. Therefore, to engage in actions that would appear to be excessive force against a citizen, violates the law enforcement code of ethics and by doing so you degraded yourself and brought disrespect and shame to the Memphis Police Department. As a result of your actions you have violated **DR- 104 Personal Conduct**.

#### **DR 104 PERSONAL CONDUCT**

The conduct of each member, both on and off-duty, is expected to be such that it will not reflect adversely on other members, the Department, the City of Memphis, or the law enforcement profession. This regulation applies to both the professional and private conduct of all members. It includes not only all unlawful acts by members but also acts which, although not unlawful in themselves, would violate either the Law Enforcement or Civilian Code of Ethics, and would degrade or bring disrespect upon the member or the Department.

(The officer's disciplinary resume will be reviewed and become a part of this file)

  
\_\_\_\_\_  
Issuing Officer

  
\_\_\_\_\_  
Charging Officer

I acknowledge receipt of this notice and understand that further investigation may result in additional charges, amendment of the above charges, or dismissal of these charges.

I further understand that a written response to these charges at this time is at my discretion unless specifically instructed to file same by the issuing officer.

Martin Thiel  
Signature of Officer:

Written Response Ordered? ☐ Yes ☐ No

Was officer relieved of duty? ☐ Yes ☐ No

Reviewed by 10/19/17 ☒ Dep. Dir. ☐ Dep. Chief ☐ Work Station Commander

Delegated to: ☒ Dep. Chief ☐ Station/Bureau

Wardner  
Major/Lt. Colonel/Colonel

**City of Memphis**  
**Police Division, Inspectional Services Bureau**  
**Case Summary I2016-064**

Printed On: 6/26/2020

**I) Principal Officer:**

Police Officer II R. Granderson, IBM #1942 Tillman Station "A"

Police Officer II M. Brooks, IBM #12212 Tillman Station "A"

**II) Administrative Regulation:**

DR-104 Personal Conduct

DR-301 Excessive Force/Unnecessary Force

**III) Allegation:**

An administrative investigation was initiated to determine if excessive or unnecessary force was used during the arrest of Jeremiah Hall and Anthony Whitt on October 29, 2016.

**IV) Background:**

On October 29, 2016, at approximately 1:00 a.m., Officers Granderson and Holmes were leaving an auto theft call when they were flagged down by Ms. Eddins. Ms. Eddins advised officers that her boyfriend, Mr. Jeremiah Hall took her car keys and would not return them. Ms. Eddins led officers to Jackson apartment #74. Officers asked Mr. Hall to return the keys, but he denied having them. Shortly after returning to Ms. Eddins parked vehicle and making several attempts to get Mr. Hall to return Ms. Eddins car keys, Officer Granderson requested additional cars. As additional cars responded and arrived a struggle ensued which resulted in the arrest of Mr. Hall and Mr. Whitt.

The Memphis Police Department Administration requested an investigation to determine if excessive or unnecessary force was used during the arrest of Mr. Hall and Mr. Whitt.

**V) CAD #:**

P163030063

**VI) Evidentiary Findings:**

**A) Statements:**

Civilian witness LaQuisha Eddins stated that on October 29, 2016, she was present when Memphis Police Officers arrested her ex-boyfriend, Mr. Jeremiah Hall.



According to Ms. Eddins, she flagged down officers that were in the apartment complex after Mr. Hall took her keys and refused to return them to her.

Ms. Eddins asked officers to get Mr. Hall to return her keys, but he was verbally belligerent and cursing the officers. As this incident played on, an officer grabbed Mr. Hall from behind taking him to the ground where he tried to handcuff him. Ms. Eddins added that Mr. Hall did not fight them physically, but he would not cooperate by placing his hands behind his back. As other officers arrived at the location, one officer used his Taser to subdue Mr. Hall. Once Mr. Hall was on the ground the officers then beat Mr. Hall with their billy clubs until he was handcuffed.

Ms. Eddins stated that Mr. Hall's cousin, Mr. Anthony Whitt was also present when he was arrested. While Mr. Hall was being arrested, Mr. Whitt walked over to the scene to see what the officers were doing to him. The female officer then told Mr. Whitt that he needed to get back because officers were working here. As Mr. Whitt walked away a male officer slammed Mr. Whitt to the ground. Ms. Eddins did not recall if the officers ordered Mr. Whitt to place his hands behind his back. However, she did remember that the last time she saw Mr. Hall he was suffering from the injuries he sustained from this encounter with officers. Ms. Eddins added that she saw one of the bones in his leg protruding from the area of his knee. According to Ms. Eddins, Mr. Hall also has an injured back due to the incident, but she no longer has any contact with Mr. Hall. Ms. Eddins remembered that Mr. Whitt was also injured, but she could only recall the redness about his face and she was not sure of the extent of his injuries.

**Witness Officer Jasmine Holmes** advised on October 29, 2016, she and her partner Officer R. Granderson were flagged down by a female victim inside of the Villages Apartments. The victim advised the officers that her boyfriend took her car keys and would not return them. Officer Holmes and Granderson followed the victim to Jackson Avenue #74, where the suspect lived in an attempt to retrieve her keys. But the suspect, Jeremiah Hall denied having the keys and walked back into his apartment. Officer Holmes advised they walked back to the parking lot, where Mr. Hall approached them a short time later with Ms. Eddins car keys. Officer Holmes advised they continued to ask Mr. Hall to return Ms. Eddins car keys, but he refused.

Officer Holmes advised Mr. Hall became angry and began to curse and threaten them. At that point, Officer Granderson called for backup to assist with taking Mr. Hall into custody. When the other officers arrived, Officer Holmes advised that Officer Granderson attempted to place Mr. Hall under arrest and he began to resist and went to the ground. Officer Holmes also advised, Officer Washington arrived and observed Mr. Hall resisting and tased him; however, it had no effect on him and he ran a short distance before stopping.

Officer Granderson and Officer Brooks gave Mr. Hall verbal commands to get on the ground and he refused. Officer Holmes advised both officers struck Mr. Hall in the legs with their ASP Batons to subdue him.

Officer Holmes further stated that she was speaking with subject Anthony Whitt, because he had gotten too close to officers as they were arresting Mr. Hall. Officer Holmes told Mr. Whitt to back away, while Officer Granderson advised him he was under arrest. Officer Granderson took him to the ground and placed him in handcuffs. Mr. Whitt sustained abrasions to his face from the take down.

**Witness Officer Martin Brooks** advised on October 29, 2016, he was dispatched to The Villages Apartments to assist officers in taking an irate citizen into custody. Officer Brooks advised when he arrived, he observed Officers Granderson and Holmes on the ground fighting with an individual who was throwing punches and kicking. The individual was told several times to place his hands behind his back and to stop resisting; but he continued to punch and kick at the officers.

Officer Brooks advised when Officer Washington arrived, he tased Mr. Hall, which had no effect. He ran 10-20 feet before stopping and raising his hands into the air. Mr. Hall would not comply with his verbal commands to get down on the ground. Officer Brooks struck Mr. Hall in his right leg with his ASP Baton three times before he complied with his commands to get down. Officer Brooks also stated he struck Mr. Hall once again as he was lying on the ground and ordered him to put his hands behind his back, at which time he complied. Officer Brooks then placed handcuffs on Mr. Hall. Mr. Hall continued to be verbally abusive towards officers on the scene and his girlfriend after he was arrested.

Officer Brooks advised an ambulance was called to render medical assistance to Mr. Hall. He was transported to Regional One Hospital from the scene. Officer Brooks was not involved in the arrest of Anthony Whitt.

**Witness Officer Benny Washington** advised he responded to officers calling for backup at Jackson Avenue. Officer Washington advised upon his arrival, he observed Officer Granderson and Holmes on the ground fighting and trying to take a suspect into custody.

Officer Washington gave verbal warnings that he was about to deploy his Taser. Once the officers released Mr. Hall, he attempted to flee. Officer Washington fired his Taser, which struck Mr. Hall, but had no effect on him. Mr. Hall ran approximately 10 feet, stopped and refused to follow officer's commands to get down. Officer Washington advised that Officers Brooks and Granderson struck Mr. Hall in the legs with their ASP Batons until he complied with their commands. Officer Washington and Brooks then placed Mr. Hall into handcuffs as he continued to be belligerent towards the officers.

Mr. Hall was transported to Regional One to have the Taser electrodes removed and to have a medical checkup on the injuries he sustained to his legs. Officer Washington was not involved in the arrest of Mr. Whitt.

**Principal Officer Richard Granderson** advised on October 29, 2016, he was flagged down inside of The Village Apartments on Jackson Avenue. Officer Granderson advised a female advised him a male snatched her keys from her and was walking away. Officers Granderson and Holmes followed the female to the individual's apartment in an attempt to retrieve her car keys. The male, Mr. Hall advised he did not have the complainants, Ms. Eddins keys during the first encounter. The officers and Ms. Eddins walked back to where Ms. Eddins car was parked and offered to give her a ride to her home.

A short time later, Mr. Hall approached Ms. Eddins with her keys and asked that she take him to the store. When she refused, the officers asked him several times to give Ms. Eddins her keys. Officer Granderson advised Mr. Hall continued to be belligerent and threatened to inflict bodily harm against him and his partner. Officer Granderson advised he called for additional cars to assist in taking Mr. Hall into custody.

Officer Granderson advised when backup arrived, he advised Mr. Hall that he was under arrest. When he attempted to place handcuffs on Mr. Hall he began to resist and fight. Officer Granderson advised he put Mr. Hall in a Full Nelson hold and they both went to the ground in the struggle. Officer Granderson advised Mr. Hall was tased, but it had no effect on him. Officer Granderson advised Mr. Hall continued to resist until he and Officer Brooks utilized their ASP Batons to subdue Mr. Hall.

Officer Granderson also advised during the struggle with Mr. Hall, another individual, Mr. Whitt approached him from behind and began to video the incident. Officer Granderson ordered Mr. Whitt to get back and when he refused, Officer Granderson took him into custody. Officer Granderson advised Mr. Whitt began to resist and tried to strike him. Officer Granderson took Mr. Whitt to the ground to affect the arrest. When Mr. Whitt was taken to the ground, he sustained facial injuries to his nose and forehead. Both subjects were transported to Regional One Health for medical treatment.

**B) Physical Evidence:**

None

**C) Forensic Evidence:**

None

**D) Recorded Evidence:**

1. CD Containing Digitally Recorded Statements
2. Typed Statements
3. BWC Video
4. In Car Video
5. Log Sheets

6. Event Chronology
7. Arrest Tickets
8. Response to Resistance
9. Audio Verification
10. Affidavit
11. Garrity Advisory Forms
12. Statement Release Forms

**E) Miscellaneous Evidence:**

None

**VII) AG Review:**

This case file was not submitted to the Attorney General's Office for review.

**VIII) Analysis:**

An Administrative investigation was initiated to determine whether officers used excessive or unnecessary force against Jeremiah Hall and Anthony Whitt during their arrest inside on October 29, 2016.

This investigation revealed that Officers Granderson and Jasmine Holmes were flagged down inside of the apartment complex by the victim, Laquisha Eddins. Ms. Eddins advised officers that her boyfriend took her keys and refused to return them to her. Officers accompanied Ms. Eddins back to her boyfriend's, Jeremiah Hall's apartment to retrieve her car keys. Once there Mr. Hall denied having the keys and went back inside of his apartment. Officers and Ms. Eddins returned to the parking lot where her vehicle was parked. Moments later, Mr. Hall came to the parked vehicle, where he met officers and Ms. Eddins with her keys; however, he still refused to give them to her.

Officers Granderson and Holmes along with Ms. Eddins, reasoned with Mr. Hall for several minutes to return the keys, but he refused. Instead, he asked Ms. Eddins to drive him to another location. At that time, Officer Granderson called for additional officers to assist with the handling of this incident. As backup officers arrived, Officer Granderson grabbed Mr. Hall from behind and took him to the ground. A scuffle ensued as Officers Holmes and Brooks assisted in trying to handcuff Mr. Hall. Officer Washington arrived on the scene and utilized his Taser; however, it was ineffective. Mr. Hall ran a short distance before he surrendered was again taken to the ground.

Before additional officers arrived, Officer Granderson and Brooks ordered Mr. Hall to get on the ground, but he refused. However, once Mr. Hall was on the ground, Officer Holmes' Body Worn Camera (BWC) captured Officers Brooks and Granderson striking Mr. Hall in the legs with their ASP Batons. Ms. Eddins added that Mr. Hall was verbally belligerent, but he did not fight officers; however, officers beat him with their Billy Clubs while he was on the ground. Mr. Hall complied with officers commands.



As Mr. Hall lay on the ground in a submissive position, Officer Granderson and Brooks continued to strike him with their ASP Batons before Officer Brooks placed him in handcuffs. Therefore, based on their actions **Officer Granderson and Brooks** are both in violation of **DR-301 Excessive Force/Unnecessary Force**.

**These allegations are also supported by video (ICV) and listed below is a time line of the events**

**DVD 1 ICV P163030063**

3:44 Officers are seen in a struggle with Mr. Hall  
4:01 Mr. Hall is seen running from officers with a Taser probe attached to him. Officers pursued him on foot.  
4:05 Mr. Hall stops and places his hands above his head, he surrendered.  
4:16 Officer Granderson strikes Mr. Hall with his ASP.  
4:18 Mr. Hall goes to the ground and Officer Granderson continues to strike Mr. Hall with his ASP.  
4:30 Mr. Hall is on the ground in a fetal position and places his left arm behind his back as he is struck.  
4:40 Mr. Hall is face down on the pavement and handcuffed.  
4:42 Officer Holmes approaches Mr. Whitt and orders him to walk away from the scene.  
5:00 Mr. Whitt starts to walk away  
5:07 Officer Granderson grabs Mr. Whitt from behind.  
5:09 Mr. Whitt is taken to the ground, face first and handcuffed....  
5:37 Mr. Hall is helped to his feet and walked to a patrol car.  
6:45 Mr. Whitt rolls over and is helped to his feet and walked back to the patrol car.

The primary issue related to this investigation centers upon the actions of Officers Granderson and Brooks and whether their actions transcend the standards of the Memphis Police Department. These standards are established in the Memphis Police Department's

**The Memphis Police Department's DR-301 Excessive Force/ Unnecessary Force states:**

**DR 301 Excessive Force/ Unnecessary Force**

**Excessive Force/ Unnecessary Force** is defined as the amount of force which is beyond the need and circumstances of the particular event, or which is not justified in the light of all circumstances, as is the case of deadly force to protect property as contrasted with protecting life.

Control may be achieved through advice, warnings, and persuasion, or by the use of physical force. While the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances. Officers should consider the facts and circumstances known at the time of the confrontation when determining the amount of force to use, including: the severity of the subject's crimes, the immediate threat posed by the subject to the safety of others, and whether the subject exhibits active aggression or is actively resisting arrest.

Officers are permitted to use whatever force that is necessary and reasonable to protect others or themselves from bodily harm.

Officers shall never use force or violence that is unprovoked, needless, or not required during performance of their duties when making an arrest or in dealing with a prisoner or any person.

**Graham v. Connor (US 1989)** is the landmark US Supreme Court case that defines reasonable use of force by police officers in the line of duty. As such, this standard was applied in defining the Memphis Police Department's use of force policies, which are contained in the Memphis Police Department Policies and Procedures Manual, Chapter 2, Section 8, Response to Resistance, pages 1-11.

The ruling in **Graham V. Connor** holds that all claims that law enforcement officials had used excessive force --deadly or not-- in the course of an arrest, investigatory stop, or other 'seizure' of a free citizen, are properly analyzed under the Fourth Amendment's "objective reasonableness" standard.

The "reasonableness" of a particular use of force must be judged from the perspective of a **reasonable officer on the scene**, rather than with the "20/20 vision of hindsight."

The test of reasonableness is **not capable of precise definition or mechanical application**. Its proper application requires careful attention to the facts and circumstances of each particular case, including:

1. The severity of the crime at issue;
2. Whether the suspect poses an immediate threat to the safety of the officers or others; and
3. Whether he/she is actively resisting arrest or attempting to evade arrest by flight.

This "objective reasonableness" standard was applied during the investigation of the use of force by Officers Granderson and Brooks at Jackson Avenue. The three standards applied in **Graham v. Connor** were used to determine the reasonableness of the use of force applied by Officer Richard Granderson and Martin Brooks and revealed the following:

1. The crime at issue in this investigation is Disorderly Conduct, Domestic Assault, Resisting Official Detention, Interfere with Officer Serving Process, Resisting Stop Arrest a misdemeanor in the State of Tennessee.
2. The suspect Jeremiah Hall did not pose an immediate threat to the safety of Officers Granderson and Brooks as he was lying on the ground. Also, suspect Anthony Whitt was walking away and was not posing a threat to the safety of the officers.
3. By refusing officers commands to get on the ground and fighting officers, Mr. Hall was actively resisting arrest.

During Officer Granderson's interview, he stated that he placed Mr. Hall under arrest because he was irate and threatened to fight officers. This contradicts what was revealed on video. Mr. Hall was not respectful to the officers, but he did not threaten them. In fact, Mr. Hall did not become irate towards officers until several minutes after he was arrested.

This investigation also revealed that Officer Granderson's conduct during the arrest of these two suspects reflected adversely on himself and the members of the Memphis Police Department. Therefore, to engage in actions that appeared to be excessive force against a citizen, violates the law enforcement code of ethics and by doing so Officer Granderson degraded himself and brought disrespect to the Memphis Police Department. As a result **Officer Granderson is in violation of DR- 104 Personal Conduct.**

**The Memphis Police Department's DR-104 Personal Conduct states:**

**DR 104 PERSONAL CONDUCT**

The conduct of each member, both on and off-duty, is expected to be such that it will not reflect adversely on other members, the Department, the City of Memphis, or the law enforcement profession. This regulation applies to both the professional and private conduct of all members. It includes not only all unlawful acts by members but also acts which, although not unlawful in themselves, would violate either the Law Enforcement or Civilian Code of Ethics, and would degrade or bring disrespect upon the member or the Department.

During this investigation, several attempts were made to contact Mr. Hall and Mr. Whitt. The investigators attempted to locate both at their listed addresses. Investigators left business cards at their listed addresses and made additional canvases in an attempt to locate them for statements. Investigators did locate Ms. Eddins and left a business card with her to pass to Mr. Hall, but still there was no contact made with him. Finally, a certified letter was drafted and mailed to Mr. Hall's address. The letter unopened letter was returned to ISB and added to this investigation. As of the completion of this case Mr. Hall has not replied or called to give a statement concerning this incident.

**IX) Conclusion**

Based on the facts of the case, the preponderance of evidence shows that, **Officer R. Granderson #1942 IS in violation of the stated allegation, DR 301 Excessive Force/Unnecessary Force. Therefore the allegation is SUSTAINED.**

Based on the facts of the case, the preponderance of evidence shows that, **Officer R. Granderson #1942 IS in violation of the stated allegation, DR 104 Personal Conduct. Therefore the allegation is SUSTAINED.**

Based on the facts of the case, the preponderance of evidence shows that, **Officer M. Brooks #12212 IS in violation of the stated allegation, DR 301 Excessive Force/Unnecessary Force. Therefore the allegation is SUSTAINED.**

Based on the facts of the case, the preponderance of evidence shows that, **Officer M. Brooks #12212 IS in violation of the stated allegation, DR 104 Personal Conduct. Therefore the allegation is SUSTAINED.**